

REMARKS

Claims **1-17** are all the claims pending in the application.

I. Status of Application:

The Examiner confirmed via telephone, on March 3, 3009, that the pending Office Action is non-final. In addition, a review of the USPTO PAIR website indicates that the Office Action is non-final.

II. Information Disclosure Statement:

The Examiner has failed to return the initialed Form PTO/SB/08 filed with the Information Disclosure Statement on July 24, 2008. A review of the USPTO PAIR website shows the Information Disclosure Statement was received by the USPTO. **The Examiner is respectfully requested to return the initialed PTO/SB/08 with the next paper from the Office.**

III. Claim Rejections:

Claims 1-17 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-16 of U.S. Patent No. 6,910,380.

Applicants submit herewith a Terminal Disclaimer to overcome this rejection accordingly.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

RESPONSE UNDER 37 C.F.R. § 1.111
Application No.: 10/803,876

Attorney Docket No.: Q80555

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Ellen R. Smith/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Ellen R. Smith
Registration No. 43,042

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

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